Page 265, insert after line 9 the following (and conform the succeeding subsection accordingly):

“(d) SURPLUS APPROPRIATIONS.—If the amount of funds appropriated for grants authorized under section 298D(a)(2) exceed the amount necessary to meet the requirements of subsection (b), the Commission shall consider the following in making a determination to award remaining funds to a State:

“(1) The record of the State in carrying out the following with respect to the administration of elections for Federal office:

“(A) Providing voting machines that are less than 10 years old.

“(B) Implementing strong chain of custody procedures for the physical security of voting equipment and paper records at all stages of the process.

“(C) Conducting pre-election testing on every voting machine and ensuring that paper ballots are available wherever electronic machines are used.
“(D) Maintaining offline backups of voter registration lists.

“(E) Providing a secure voter registration database that logs requests submitted to the database.

“(F) Publishing and enforcing a policy detailing use limitations and security safeguards to protect the personal information of voters in the voter registration process.

“(G) Providing secure processes and procedures for reporting vote tallies.

“(H) Providing a secure platform for disseminating vote totals.

“(2) Evidence of established conditions of innovation and reform in providing voting system security and the proposed plan of the State for implementing additional conditions.

“(3) Evidence of collaboration between relevant stakeholders, including local election officials, in developing the grant implementation plan described in section 298B.

“(4) The plan of the State to conduct a rigorous evaluation of the effectiveness of the activities carried out with the grant.”